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COUNTY OF SAN JOAQUIN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MELBA SHAHEED, individually and as
co-successor-in-interest to EBIMOTOMI
AREICE SUALLA; HANEEF SHAHEED,
individually and as co-successor-in-interest
to EBIMOTOMI AREKE SUALLA,

Plaintiffs,

v.

COUNTY OF SAN JOAQUIN, and DOES
1-50, inclusive,

Defendants.

Case No. 2:21-cv-01109-JAM-DB

**STIPULATION AND ORDER GRANTING
PLAINTIFFS WITH LEAVE TO FILE A
FIRST AMENDED COMPLAINT AND
EXTENDING TIME FOR DEFENDANT
SAN JOAQUIN COUNTY TO FILE
RESPONSIVE PLEADING**

Complaint Filed: June 22, 2021
Trial Date: TBD

Plaintiffs Melba Shaheed and Haneef Shaheed (collectively, "Plaintiffs") and Defendant San Joaquin County (the "County") (altogether collectively, the "parties"), by and through their attorneys of record in the above-captioned matter, hereby stipulate and agree that:

WHEREAS, Plaintiffs filed their Complaint on June 22, 2021¹ (ECF No. 1);

WHEREAS, Plaintiffs served the County with the Summons and Complaint on June 24 (ECF No. 4);

WHEREAS, pursuant to Local Rule 144(a) of the United States District Court for the

¹ All dates refer to dates in 2021 unless otherwise indicated.

1 Eastern District of California, the parties stipulated to extend the County's deadline for responding
2 to Plaintiffs' Complaint to August 9, 2021 (ECF No. 5);

3 WHEREAS, pursuant to Judge Mendez's "Order Re Filing Requirements" (ECF No. 3-2),
4 on August 2 and August 4, counsel for the parties met and conferred to attempt to informally narrow
5 or resolve the issues to be raised in the County's contemplated Rule 12 motion to dismiss Plaintiffs'
6 Complaint;

7 WHEREAS, as a result of counsel for the parties' good-faith meet and confer efforts,
8 Plaintiffs have agreed to file a First Amended Complaint by August 16 to address some or all of
9 the issues which would have been raised in the County's contemplated Rule 12 motion to dismiss
10 Plaintiffs' Complaint;

11 WHEREAS, the parties agree there is good cause for this Court to grant Plaintiffs with leave
12 to file a First Amended Complaint, because no Defendants have answered and the filing of a First
13 Amended Complaint may obviate the need for the County to file a Rule 12 motion to dismiss;

14 WHEREAS, only Plaintiffs and the County are affected by the parties' joint request that
15 this Court grant Plaintiffs with leave to file a First amended Complaint by August 16, and by the
16 parties' joint request for an order extending the County's responsive pleading deadline to August
17 30;

18 WHEREFORE, the parties jointly seek an order from this Court granting Plaintiffs with
19 leave to file a First Amended Complaint by August 16;

20 WHEREFORE, the parties jointly seek an order from this Court extending the County's
21 responsive pleading deadline to August 30;

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28 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through

1 their respective counsel, that Plaintiffs shall file their First Amended Complaint by August 16 and
2 the County shall file its responsive pleading by August 30.

3 **IT IS SO STIPULATED.**

4 Dated: August 6, 2021

POINTER & BUELNA, LLP

6
7 By: /s/ *Patrick M. Buelna*

8 Adante D. Pointer
9 Patrick M. Buelna
Attorneys for Plaintiffs
MELBA SHAHEED and HANEED
SHAHEED

10 Dated: August 6, 2021

BURKE, WILLIAMS & SORENSEN, LLP

12 By: /s/ *Michael A. Slater*

13 Gregory B. Thomas
14 Michael A. Slater
Attorneys for Defendant
COUNTY OF SAN JOAQUIN

15
16 **SIGNATURE ATTESTATION**

17 Under Eastern District of California Civil Local Rule 131(e) (Fed. R. Civ. P. 7), I attest that
18 I obtained concurrence in the filing of this document from all of the above signatories.

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20 By: /s/ *Michael A. Slater*

Michael A. Slater

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28 **ORDER**

1 The Court, having considered the parties' stipulation, and good cause appearing, GRANT
2 Plaintiffs with leave to file a first amended complaint by August 16, 2021, and ORDER than the
3 County shall file its responsive pleading by August 30, 2021.

4 **IT IS SO ORDERED.**

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7 Dated: August 9, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE